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June 27, 2016

VIA ECF

Honorable Cheryl L. Pollak
United States Magistrate Judge
United States District Court
for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Martinez v. City of New York, et al.
16-CV-0079 (AMD) (CLP)

Your Honor:

I am the Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department, assigned to represent defendant City in the above-referenced matter. This office writes to respectfully request an adjournment of the settlement conference scheduled for June 28, 2016 at 3:00 p.m. Plaintiff's counsel, Baree N. Fett, Esq., does not consent to the requested adjournment and requests that the conference proceed as scheduled so that the status of discovery may be discussed.

The City apologizes for the lateness of the request as the parties were conferring about the next step in this case. The City is requesting the adjournment as it still needs further information regarding this case. Defendant City made initial disclosures at the Initial Conference on April 15, 2016 of the arresting officer and another officer involved in plaintiff's arrest but we have been informed by plaintiff's counsel that those individuals may not have been the John and Jane Doe officers referenced in the Complaint. The City has spoken with a few officers but still needs to reach out to a few more to determine, who, if anyone, may have also interacted with plaintiff. In particular, plaintiff has signed releases for multiple medical providers and the City is still awaiting those records.

For the foregoing reasons, the City respectfully requests that the Court adjournment the settlement conference scheduled for June 28, 2016 at 3 p.m. and rescheduled for a date 30 days later.

Thank you for your consideration herein.

Respectfully submitted,


Paul H. Johnson
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Baree N. Fett, Esq. (via ECF)
Attorney for Plaintiff